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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : **Confirmation No. 5949**
Eiichi HATAE et al. : Docket No. 2001_0749A
Serial No. 09/880,040 : Group Art Unit 2616
Filed June 14, 2001 : Examiner James A. Fletcher

REMAINING RECORDABLE TIME
CALCULATION APPARATUS THAT
CONVERTS AMOUNT OF FREE AREA
OF RECORDING MEDIUM INTO TIME

Mail Stop AF

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

REQUEST FOR RECONSIDERATION AFTER FINAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37. CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2616

Sir:

Responsive to the Office Action dated January 20, 2006, the Applicants respectfully request reexamination and reconsideration of the application in view of the following remarks.

In item 3 on page 3 of the Office Action, claims 7-13 and 21-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Browne et al. (WO 92-22983) in view of Kikuchi et al. (U.S. 6,577,812). This rejection is respectfully traversed for the following reasons.

Claims 7 and 21 each recite a remaining recordable time calculation apparatus for calculating a remaining recordable time of a recording medium. In particular, claims 7 and 21 are each recited as calculating the remaining recordable time of a recording medium by using the following formula.

**remaining recordable time = [(capacity of recording medium –
estimate error value)/(standard bit rate)] – running time**

While acknowledging that Browne et al. does not disclose, suggest or even contemplate how to calculate a remaining recordable time of a recording medium, the Examiner asserted that Kikuchi et al. teaches the above formula for determining a